

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

WILLIAM A. CLARK, et al.

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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**US Court of Federal Claims
1:00-cv-944c**

USDC#: 2:07-MC-3377

MOTION TO WITHDRAW MOTION TO QUASH

Comes now the State Military Department, an agency of the State of Alabama doing business as the Alabama National Guard, by and through counsel, Troy King, Attorney General of Alabama, and Jack Wallace, Jr., Assistant Attorney General, to move to withdraw the motion to quash contained within its pleading entitled **“OBJECTIONS TO PLAINTIFFS’ SUBPOENA AND MOTION TO QUASH”** while preserving the objections to the subpoena. The State Military Department has worked with the Plaintiffs to resolve the discovery matters to the satisfaction of the parties for the most part. The State Military Department reserves the right to file a motion for a protective order regarding the deposition of the Rule 30(b)(6) designee, based upon objections heretofore filed with the court, in the event that said dispute over the scope of the deposition cannot be resolved by the parties.

Respectfully submitted on this 27th day of December, 2007.

/s/ JACK WALLACE, JR.

JACK WALLACE, JR.

Assistant Attorney General

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CERTIFICATE OF SERVICE

I hereby certify that I have on this 27th day of December, 2007, served a copy of the foregoing upon the following parties, by placing same in the United States Mail, postage prepaid and properly addressed as follows:

Helen Michael, Esq.

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/s/ JACK WALLACE, JR.
OF COUNSEL